

**REMARKS**

The above-identified Application has been carefully reviewed with the Office Action of April 2, 2008, the Examiner's comments, and the prior art references cited therein in mind. In response thereto, claim 1 has been amended to clarify certain matters and to remove some uncertainty which has led to rejection under 35 U.S.C. § 112. It is believed that upon entry of these amendments and consideration of the following remarks, the claims of the application will be in condition for allowance. Favorable reconsideration is hereby respectfully requested.

The Applicant has undertaken and will continue to undertake a detailed review of the specification, drawings, and the arrangement of the specification as suggested by the Examiner. Most, if not all, of the suggested changes were made by Preliminary Amendment, which was filed with the Application. If the Examiner needs a clean copy of the Application as amended, one can be provided.

Claims 1-14 and 16 have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite, the Examiner pointing out that for example, there is no antecedent basis for "the bowl" (line 6), "the free sectors" (line 18), and certain recitations in the claims such as "configured for being" (claim 1, line 5) and "at a time" (claim 1, line 7-11), etc. Claim 1 has been amended to clarify these rejections and any indefiniteness is now believed to have been clarified. As a further clarification, the Applicants advance the following remarks.

As mentioned in paragraphs 11, 42, and 46 of the published U.S. application, the invention relates to a "pressure cooking vessel" comprising a bowl and provided with an "internal mount lid", i.e. with a lid that "significantly penetrates into the bowl" wherein said lid is put in place on said bowl to close the vessel. As recited in paragraphs 11, 12, 60, and 72, the device aims at providing a cooking vessel arrangement which "improves the control over the deformation of the lid" when the vessel is subjected to internal pressure, so as to particularly "make it possible to reduce the quantity of material used for manufacturing the lid" on one hand and give the vessel a "generally pleasing appearance" on the other hand.

More particularly, a subject matter of the invention is to provide a pressure cooking vessel comprising an internal mount lid with means for controlling the deformation under pressure of said lid and more particularly for controlling the maximal deformation under pressure of the lid in its free angular sectors.

The objects of the invention are achieved by a cooking vessel as claimed in claim 1, comprising a bowl 2, an internal-mount lid 3, locking means 5 (such as jaws 6, 7) to lock/unlock

said lid on the bowl, and support means 11 situated between the lid and locking means, wherein these elements are arranged with respect to each other in such a manner that"

on one hand the locking means 5 (jaws 6, 7) form abutment means that come into abutment against the engagement means 12 (rim 4) when the lid 3 is put in place into the bowl (e.g. "first step" below);

on the other hand, the support means 11 subdivide the lid into one or more fixed angular sectors 3F, that are held by the locking means, and one or more free sectors 3L, that are not held by the locking means (e.g. "third step" below).

More particularly, the cooking vessel of the present device may preferably operate as follows:

In a "first step" of ("at a time when") inserting the lid into the bowl, said lid 3 may be engaged on the bowl 2 and may substantially "sink" downwardly in said bowl until the jaws 6, 7 (locking means 5) come into abutment against the rim 4 (engagement means 12), said jaws 6, 7 thus stopping the descent of the lid which may be substantially "hung from" said jaws in its closure position (paragraph 47).

Then, in a "second step" the jaws 6, 7 (locking means 5) may be moved radially, e.g. by a control knob 27 so as to engage the rim 4 ("to cooperate with engagement means 12"), thus locking the lid on the bowl while said lid is preferably "hung from" said jaws 6, 7 (paragraphs 40 and 53). At this time when the lid is locked on the bowl, jaws 6, 7 (locking means 5) are in mechanical contact with ("come to bear against") the support means 11.

In a "third step", the vessel is heated so that the internal pressure rises. Due to the increase of internal pressure, the lid 3 slightly moves upwardly, until the lower end of the jaws 6I, 7I come into abutment against the rim 4 (paragraph 50).

In this situation, the support means 11 (bearing ramps 15) may substantially work as spacers between the "ascending" lid 3 and the "fixed" jaws 6, 7 so as to substantially hold the fixed angular sectors 3F of the lid away from said fixed jaws.

Preferably, the movement of the lid may be stopped and its deformation substantially prevented in the areas (fixed angular sectors 3F) which are located beneath the jaws 6, 7 (locking means) and maintained by said jaws via the corresponding support means 11, while the areas (free sectors 3L) of the lid

which are not "covered" by said jaws/support means can further deform within a substantially predefined limit (paragraphs 65-67).

The lid is thus substantially "divided" by the support means 11 into fixed substantially not-deformable angular sections which are supported by locking means/support means on one hand, and free substantially deformable angular sectors on the other hand.

Claims 1-14 and 16 have been rejected under 35 U.S.C. § 102(b) as being clearly anticipated by either one of BE 557 473 or WO 03/064897 as set forth in the Applicants specification. The Office Action opines that the structural features of the instantly rejected claims are structurally met by either one of the references.

A proper rejection of a claim under 35 U.S.C. § 102 requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983). Anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. *See e.g., In re Paulsen*, 30 F.3d 1475, 31 USPQ 2d 1671 (Fed. Cir. 1994); *In re Spada*, 911 F.2d 705, 15 USPQ 2d 1655 (Fed. Cir. 1990).

Contrary to the Office Action, Applicants are of the opinion that the subject matter of claims 1 and the claims dependent therefrom are not anticipated by the patent to Legendre, BE 557 443 (D1) or the patent to Sykrona/Schultz, WO 03/064897 (D2). The references D1 and D2 will be used to refer to the prior art references in discussing the rejection.

D1 discloses a cooking vessel comprising a bowl 1 and a lid 5, said bowl 1 being provided with engagement means (rim 4) suitable for cooperating with locking means (bridge 10 made of a metal strip whose ends are held by two grip-hooks 11, 12) to lock and unlock the lid 5 on the bowl 5. The cooking vessel of D1 further comprises support means 8 and 15 that are disposed between the lid 5 and locking means 10, so that when the lid 5 is locked on the bowl 1, said locking means come to bear against the support means.

In the embodiments of Figs. 1-4, the support means 8 of D1 is a bell-shaped regulating valve which covers an orifice 6 of the lid 5 and is provided with at least a flexible tongue 9 so that the excess pressure can be evacuated through said valve, via said orifice 6. In addition, the bridge 10 is flexible enough to allow the lid 5 to raise up, thus forming a security valve, should the orifice 6 be clogged. In the embodiment of Figs. 5 and 6, the support means is made up of a flexible pad, so as to allow the lid 5 to raise up, so that the lid itself forms a regulating and security valve.

Firstly, it is noted that in any embodiments of D1, the lid 5 lies on the rim 4 of the bowl, outside of said bowl, so that said lid does not penetrate in the bowl and does not form an internal mount lid as claimed in the present application. A fortiori, the locking means 10 are absolutely not shaped to form abutment means for stopping the penetration of the lid into the bowl. To the contrary, the lid 5 is self-supported by the rim 4, and there is further no mechanical link between the support means 8 and 15 and the lid 5, e.g., which would enable said lid to be "hung from" the bridge 10, as D1 recites in page 4, line 6, that "the bell-valve 8 may either only rest between the lid and the bridge, or be attached to the bridge".

Secondly, D1 does not refer to any means for dividing the lid into the plurality of free angular sectors and fixed angular sectors. More particularly, it may result from D1 that the lid 5 of the embodiments illustrated in Figs. 5 or 6 may freely move possibly in any area over its periphery. For all these reasons, it appears that D1 does not disclose the features, means arrangement, and functions which are claimed in claim 1 and the claims dependent therefrom. Therefore, it is the Applicants' opinion that the subject matter of claim 1 is new in view of D1.

Reference D2 discloses a cooking vessel comprising a bowl 90 and a lid 10, 20, said bowl 90 being provided with engagement means (rim 99) suitable for cooperating with locking means (jaws 70A, 70B, 70C) to lock and unlock the lid 10, 20 on the bowl 90. The lid 10, 20 comprises a first outer lid 10 and a second inner lid 20 which penetrates into the bowl 90 to form an internal mount lid.

Firstly it is noted that when the lid is put in place (inserted) into the bowl, the outer lid 10 comes into abutment against the rim 99 (engagement means), while the locking means (jaws 70A, 70B, 70C) do not form abutment means. Therefore, the claimed structure differs from the one disclosed in D2. In addition, D2 does not disclose or suggest support means of the present device, and more particularly does not consider dividing the lid into free angular sectors and fixed angular sectors. Therefore, it is the Applicants' opinion that the subject matter of claim 1 and the claims dependent therefrom is new in view of D2.

In addition to the above information, Applicants consider that the subject matter of the present device teaches a novel and unobvious device since neither D1 nor D2 disclose the claimed abutment arrangement of the locking means or the division of the lid into free angular sectors and fixed angular sectors so that the skilled artisan would certainly not have implemented on a cooking vessel such "missing" features, which are not disclosed as such. Furthermore, D1 suggests to allow a free move/opening of the lid in case of excessive internal pressure, which is contrary to the present device aiming at controlling/limiting the deformation of the lid. Further, contrary to the cooking vessel of D2, the particular arrangement of the

present device advantageously enables the manufacturing of a safe, convenient, and light cooking lid that may be possibly made in one piece from a thin metal plate and can be readily operated or cleaned.

**CONCLUSION**

With the amendments presented herein, it is believed that all the claims remaining in the Application are in condition for allowance. Early and favorable action in this regarding is hereby respectfully requested. Should there be any minor informalities remaining, the Examiner is respectfully requested to call the under undersigned attorney so that this case may be passed to issue at an early date.

Respectfully submitted,

  
James W. Kayden; Reg. No.: 31,532

**THOMAS, KAYDEN,  
HORSTEMEYER & RISLEY, L.L.P.**  
Suite 1500  
600 Galleria Parkway N.W.  
Atlanta, Georgia 30339  
(770) 933-9500